



HELP THE EARTH

EARTH WILL HELP YOU

We make fertilizer for every product and put on the market only what has been proven of real value. Let us know the purpose for which you want soil helps and we will supply you. Address us

Pacific Guano and Fertilizer Co.
Honolulu, H. I.

INSURANCE

Theo. H. Davies & Co.,
(Limited)
Agents for Fire, Life and Marine Insurance.

Northern Assurance Company,
OF LONDON, FOR FIRE AND LIFE. Established 1836.
Accumulated Funds.....\$2,975,000

British and Foreign Marine Ins. Co.
OF LIVERPOOL, FOR MARINE
Capital.....\$1,000,000

Reduction of rates.
Immediate Payment of Claims.

Theo. H. Davies & Co., Ltd.
AGENTS.

CANADIAN PACIFIC RAILWAY
The Famous Tourist Route of the World.

In Connection With the Canadian-Australian Steamship Line Tickets are Issued
TO ALL POINTS IN THE UNITED STATES AND CANADA, VIA VICTORIA AND VANCOUVER

Mountain Resorts:
BANFF, GLACIER, MT. STEPHENS AND FRASER CANYON
EMPIRE LINE OF STEAMERS
FROM VANCOUVER.
Tickets to All Points in Japan, China, India and Around the World.
For Tickets and general information—Apply to—

THEO. H. DAVIES & CO., LTD.
Agents Canadian-Australian S. S. Line.
Canadian Pacific Railway.

Castle & Cooke Co., Ltd
Honolulu, T. H.

Commission Merchants

Sugar Factors

Ewa Plantation Co.
Waialua Agricultural Co., Ltd.
Kohala Sugar Co.
Waimea Sugar Mill Co.
Apokaa Sugar Co., Ltd.
Fulton Iron Works of St. Louis.
Blake Steam Pumps.
Weston's Centrifugals.
Babcock & Wilcox Boilers.
Green's Fuel Economizers.
Marsh Steam Pumps.
Matson Navigation Co.
Planters' Line Shipping Co.

Bank of Hawaii

LIMITED.

Incorporated Under the Laws of the Territory of Hawaii.

PAID-UP CAPITAL.....\$600,000.00
SURPLUS.....200,000.00
UNDIVIDED PROFITS.....102,617.80

OFFICERS:

Charles M. Cooke.....President
F. C. Jones.....Vice-President
F. W. Macfarlane.....2nd Vice-President
C. H. Cooke.....Cashier
C. Hueston, Jr.....Assistant Cashier
F. B. Damon.....Assistant Cashier
F. B. Damon.....Secretary
DIRECTORS: Chas. M. Cooke, F. C. Jones, F. W. Macfarlane, E. F. Bishop, E. D. Tenney, J. A. McCandless, C. H. Atherton, C. H. Cooke.

COMMERCIAL AND SAVINGS DEPARTMENTS.

Strict attention given to all branches of Banking.
SUDD BUILDING, FORT STREET.

Castle & Cooke Co., Ltd

Life and Fire Insurance Agents

General Insurance Agents, representing New England Mutual Life Insurance Company of Boston.

Acting Fire Insurance Co.
—ATTENTION—
We have just accepted the Agency for the

The Protector Underwriters of the Phoenix of Hartford.
These are also among the Best of Money in San Francisco.

LICENSE TAX FISHING, VALID

Supreme Court Upholds the Act Calling for a Fee on Certain Boats.

It is constitutional to tax those who fish for profit in the waters of the Territory of Hawaii in a boat that has a beam of over thirty inches. So decides the opinion of the supreme court written by Chief Justice Hartwell and handed down yesterday. The decision is the result of the test case that has been fought out in the lower courts over Matsubara. He claimed, when arrested for failure to secure a license, that the act was unconstitutional, that it was discriminatory legislation, in so far that nearly all boats over the specified width of beam were owned by Japanese and other reasons. The court held that it was not discriminatory legislation, because it applied to all boats over that width of beam, no matter who owned them. The county attorney admitted that, with the exception of a few Chinese boats, the 200 boats fishing for profit in Oahu waters were owned by Japanese. The Hawaiians nearly all fish from outrigger canoes, and therefore are not liable to the license. It was on this ground that the defendant claimed a violation of his treaty rights.

In connection with the claim that the waters of the Territory were free or should be from a necessity to have a license to fish in them, the court says:

"We do not infer from this legislation that congress intended that the business of fishing for profit in the sea waters of the Territory should be free from police regulation or taken out of the taxing power of the Territory, the object of the provisions cited being to do away with exclusive private rights of fishery in those waters. In this view there is no occasion to consider the defendant's claim that the act deprives him of treaty rights."

The supreme court, in discussing the case, also declares that the act calling for a license fee is not in conflict with the Organic Act for this reason.

Kellogg Wins.

By another opinion handed down by the supreme bench yesterday, written by Justice Perry, Leonard G. Kellogg wins out in the suit brought against him by the Remington Typewriter Company. Kellogg is doing business under the name of the Hawaiian Office Specialty Company, a concern which has passed through three hands and accumulated debts on the way.

It was originally started by William L. Gilluly and O. V. McCarthy, who in 1905 purchased a stock from the plaintiff. In 1907 they sold the stock, etc., of the concern to D. S. K. Pahu. The latter conducted the business under the same name and subsequently sold the property to Kellogg. When Pahu purchased it, he made no promise to pay the debts accumulated by the former proprietors. When Kellogg made the purchase he promised to pay a certain note of \$2000 and "the other and remaining debts of the Hawaiian Office Specialty Company." The Remington company brought a suit for \$2400, the value of the goods they supplied to the original proprietors.

The court holds "that if an action is maintainable at all by a creditor of the promisee against the promisor, the creditor not being privy to the contract or the consideration, the very foundation of any right the creditor may have is the promisor's contract, and that in the case at bar plaintiff's claim was not one of the debts of the Hawaiian Office Specialty Company at the date of the agreement, and therefore there was no promise by defendant to pay it."

Federal Indictments.

The federal grand jury yesterday returned two true bills against alleged offenders against the laws of the United States. One of these was against Bhogoran, the Hindu who attempted to bribe Inspector R. C. Brown of the immigration station to let him into the country.

The other indictment was against Otokichi Nakano, another Edmunds Act case. He has four counts against him.

Territorial Indictments.
The territorial grand jury also made a partial report which included the true bill and no bill found two days ago, which have been on the secret files. The no bill was for Ching Sai Chong who was accused of an attempt to commit murder.

The man indicted is Lau Chong who is accused of putting with a revolver the man for whom the no bill was found. Lau Chong accused Chun Sai Chong of attacking him with a gold-beaters hammer, the man being a jeweler in the Sun Wo jewelry store. In the substance of the words of the indictment Lau Chong held a revolver, which is considered a very dangerous weapon, dangerously loaded, in the direction of Lau Chong. This was done, says the indictment with "malice aforethought" and other things and so when the gun went off as guns have a habit of doing it constituted an attack with a deadly weapon with intent to commit murder.

He was arraigned before De Bolt yesterday and pleaded not guilty. He was let out on a \$2500 bond. E. C. Peters is appeared for him.

Courthouse Notes.

The Territory has filed in the circuit court a motion to set for hearing the suit in ejectment it has instituted against the Huestices and the Monna Hotel. This is the suit in which it is claimed that those against whom it is brought are occupying a public road which is supposed to be where the Hotel Annex now stands.

Again the prosecutors of the county attorney's office have not pressed a case before Judge De Bolt after securing convictions in the lower court. This time it was in the case of fourteen Chinamen who were convicted of indulging or being present at a gambling game. They had been soaked but five dollars apiece by Andrade and yet upon appeal the same attorney who had convicted them entered a nolle prosequi. Whigge Ours has been granted a divorce from her husband, Yokichi Ours, by Judge Robinson on the grounds of cruelty.

SIDELIGHTS

BOOST HAWAII.

Here's to the man or woman with the kodak or the pen, who advertises the beauties or the vagaries, as the case may be, of Hawaii. It is not alone that we want tourists; it is not alone that interest may be created in propositions relative to coastwise suspension or subsidy, but it is because we want the people to know that the Hawaiian Islands, and, better still, the "Territory of Hawaii," is in existence. Every youngster in every school on the mainland knows all about the "Sandwich Islands," and the tragic—sometimes reported to them as astronomical—death of Captain Cook. But few of them write to their friends here without enriching the coffers of Uncle Sam by placing on the envelope the picture of Abraham Lincoln, purchased for five cents, rather than the calm countenance of George Washington, which can be secured from Postmaster Pratt for two.

But "The Territory of Hawaii" is known to but few, and any education along that line should be gladly welcomed, no matter what its nature. If the information disseminated is fulsome in its flattery, it can do no harm, so long as the way down easterners know we are in existence as a full-blown territorial government. If it gives—although newspaper and magazine men trained properly have slight conception thereof—the truth about us, no harm is done and the world learns something. If it be distinctly libelous in its nature, yet will it attract attention, perhaps more than otherwise, to us, and emphasize our beauties, natural, social and governmental. Should it get very rank, we'll get another congressional commission, with the attendant hula luau, pleasant dead-head excursions and voluminous, massive official reports.

But I say that nobody is fooled or hurt in the long run, and we are advertised. Let Attorney Thayer while away a weary hour and supplement his princely income as an attorney by working the mainland magazines on Hawaiian stories; do not criticize Reporter Irwin for eking out his promised salary with a few dollars by knocking us. Bless, rather than curse, Doctor O'Day. Help Bonine along.

THE POOHBAH OF HAWAII.

Sidelights will not be robbed of her contribution relative to the harassing, manifold, and, sometimes, conflicting duties of the Hon. E. A. Mott-Smith, simply because something has already appeared in the newspapers.

When the log of the good ship Lurline, having on board Governor Frear, showed a few days ago that the marine league had been covered, Poohbah, of Gilbert and Sullivan, and Kimono fame, took to the woods; no longer might he boast of having the greatest number of official titles, or the most powers, or the greatest dignity attached to, appurtenant to, and made a part of, one individual.

Watch the warships, and see and hear the Governor welcomed on his official visit by the usual number of guns.

Does your Chinese servant desire to have a paper showing that his children or cousins—I never knew a Chinaman who did not have a myriad of relations of the latter denomination—were born in the United States? Apply to the Secretary of the Territory.

Should your dog kill a rat, and you wish to ascertain whether the dead rodent is concealing any plague or other germs, ring up the President of the Board of Health. Do likewise should the mosquitoes grow too numerous.

And each time shall you be confronted by the handsome countenance of the same individual; or, should you rely upon the telephone, be comforted by the same soothing voice.

Many other things may that countenance or that voice accomplish. Sales of land; a further influx of Sam Johnson's countrymen, the Russians; payment of disputed claims relative to the recent congressional visit; and so forth and so forth and so forth.

There are, of course, some pleasures connected with the multitude of jobs. To an applicant for executive clemency it may be explained that the Chief Executive would experience no greater joy than signing a pardon, but that his duties as ex officio prison inspector made it impossible.

As Secretary, a Chinese certificate might issue, but the Governor might turn down the application. A pardon to Atcherley might be granted by the Governor, did not the president of the Board of Health object.

Let us watch developments.

KIPLING'S HEROES.

In these days of investigation into labor questions, in so far as Hawaii is concerned, should some of the experts look a trifle beyond what statistics show, they might glean some interesting facts relative to the Hindus, and form some conclusions relative to the advisability of placing them at work in the cane fields, conclusions which are not written in the books.

I read the other day of one of the new arrivals, who was shy on a turban, attempting to bribe Immigration Inspector Brown. It is said that during the conversation, in which he endeavored to place the singer-inspector in a position in which Heney might be directed to immediately drop the Oregon land frauds investigation, and take a special boat for Honolulu to prosecute Brown, the man with the Kipling name stated, as one of the reasons why he should part with his money and be permitted to become a resident of Oahu, that he could cut ten tons of cane a day without any trouble. It is said that when informed he would be given an opportunity to cultivate the same amount of rock for road purposes, his trachoma, or whatever disease he was suffering from, became at once so dangerous a nature as to not permit him to go to work.

And, if reports be true, another one of these recent arrivals will never be compelled to stand off starvation through work in the cane fields. He was a corn doctor with a new system. Corns could be removed expeditiously and permanently, and, so far as I can understand, the charge was to be according to weight. The Kipling man did everything promised in his advertisement, and collected the fees connected therewith. He has departed for other fields, perhaps fields of corn.

But nature is prolific, and sometimes reproduces. The system was a mighty good one in so far as temporary results to the patients and financial results to the doctor are concerned; but, as I have said above, nature is prolific. The Hindu is not at work in the cane fields, and the corns have returned.

OATHS—STATUTORY, NOT PROFANE.

Don't take my word for it, but go and see for yourself. If you have not already paid attention, your visit will certainly be enlightening.

Take in, any morning, some court in Honolulu, where the witnesses called to prove a case for the plaintiff, or for the defense, are orientals, and observe the manner in which they take the oath.

In ye olden days—when Thanksgiving days were a novelty and not always justifiable—no testimony of any witness could or would be received in court unless the Bible was reverently saluted in an oscillatory way. Advanced ideas on sanitary questions led to a change in many of the American communities, and the upholding of the right hand, and "So help me God," were substituted.

Always up to date in sanitation and economy, Hawaii at an early date abandoned the book and adopted the muscular method of eliciting the truth.

But if you want to kill time and likewise be amused, watch the oath being administered to people from foreign climes. Whether some good old teaching of good old Confucius relative to the respective uses of the two hands has filtered through the centuries I know not; but, just the same, nine times out of ten, when admonished to hold up his hand so that a jury may believe him, the Chinaman, in baseball parlance, will prove to be a "southpaw," and elevate the left. And whether Jesse James had ancestors in Japan or not, I am not aware, but there is grave suspicion, because nearly always when the oath corker is to be applied, both hands go up. As for the Porto Rican and the Korean, sanitary reasons may again be referred to, since whether both, the right, the left, or neither, show up, depends upon conditions.

As for the Hindu, he slaps his forehead hard, should his hand be not otherwise engaged, and says "Kismet."

THE SHRINE.

Yesterday afternoon I stood at the corner of King and Fort streets and witnessed the parade of the Shriners. Amongst them was my husband, a novice, arrayed in a fantastic costume—I am sorry to admit that it was not exactly in appropriate—arranged and devised and superintended by a committee headed by a gentleman known in commercial circles as Richardson, and to whom I have often heard that same husband apply the expressive nickname of "Rough House."

Later, fearing from the looks of the crowd and the danger incident to an ambition on the part of the director before mentioned to live up to the reputation implied by his well-recognized nom de plume, that I might be compelled to spend something for widow's weeds, I stood at the corner of Fort street and Heretania avenue and watched the K. of P. building there engulf the strangely arrayed novice, gaudily attired officers and patrol, and immaculately attired and free-crowned gentlemen—Nobles, I believe they are called.

In a short time I was satisfied. True, there arose noises which reminded

one at times of the explosion of an automobile tire, and then of a naive political meeting in a warm campaign, and, at times, of the fall of Port Arthur; but, through all the din penetrated laughter, boisterous, perhaps, but good natured always. I did not know what was going on, and could not have witnessed it had I wanted to. Perhaps the condition of my husband's clothes this morning may throw some light on the subject. But I went home fully satisfied, even though he had told me that the K. of P. hall was to be deserted after the ceremonies for a no-limit banquet on the roof of the Young Hotel.

And I don't care much in what condition his clothes are. It does our husbands good to have the privilege, at least once a year, of publicly making, as to us they daily make, exhibitions of themselves.

VALUE OF ORIENTAL PRESS.

Look it up for yourself—still clinging to my text—and you will readily ascertain that money expended by you for subscriptions to oriental newspapers is not wasted. The papers will be read, if your yardboy or your cook or your nurse—perhaps I should say the nurse attached to your children—is able to read. If the servant in question has been sadly neglected in the matter of early education and can not read, you may safely wager that some Japanese, Korean or Chinese connected with the botanical, culinary or nursery department of a neighbor will be drafted to interpret or translate. It may—probably will—happen that the interest displayed will, in case of subscription to a morning paper, make you miss your street car because breakfast is late, or, if an afternoon effusion, make you wonder why you came home so early—but the interest is there just the same.

And perhaps you will differ with me when I say the money is not wasted. It is possible that what is read or translated may induce a peremptory demand for higher wages or shorter hours, or both. Just the same, observe your servants read, or have read to them, the papers, and note that what I say is correct.

And if you do not subscribe yourself, you must not think for a moment that the servants are thus deprived of all the manifest advantages accruing from the perusal of the news items, editorials and advertisements of a first-class newspaper, or thus cut off from communication with the outside world. They will get them just the same, and profit according to their lights.

THE NEW HONOLULU WEATHER BUREAU KIOSK



GENERAL VIEW OF THE NEW WEATHER KIOSK JUST ESTABLISHED AT THE CORNER OF HOTEL AND BISHOP STREETS.

Wm. B. Stockman, section director of the United States weather bureau, with headquarters in the Young building, in referring to the new weather kiosk just established at the corner of Hotel and Bishop streets says that the credit for obtaining the kiosk does not altogether belong to him, but to H. P. Wood, secretary of the chamber of commerce and the promotion committee. It is known that Mr. Wood took up the matter in his usual energetic manner, and, aided by Mr. Stockman, obtained authority from Washington to have a kiosk put up in Honolulu.

The kiosk, which is attracting much attention, is composed of cast-iron parts built together to form a four-sided structure about four feet square and seven feet high, with a recessed space on each side thirty inches wide, thirty-five inches high and five inches deep, for the display of instruments, charts, maps, etc. Each space is covered with a glazed metal sash that can be raised or lowered within the framework of the structure. The side that contains the instruments is generally placed to face the north.

The three framed wooden, paneled boards furnished for each kiosk to facilitate the display of charts, maps, etc., are always placed in the recesses not occupied by instruments.

In nearly all the large cities of the country at which regular telegraphic reporting stations of the weather bureau are established, the records from automatic instruments and the meteorological data recorded, as well as the daily observations and forecasts that are made, are always open for the benefit of the public, but, unfortunately, the modern development and construction of large and lofty buildings have necessitated the placing therein of the local offices and the exposure of the instruments on their high and comparatively inaccessible roofs. While such offices are readily accessible to the public by means of elevators, yet they are

out of the way for the use of the general public. With a view to meeting this demand in a practicable manner, the chief of the weather bureau directed that a suitable structure be designed for installation on public sidewalks. The name kiosk was selected as being short and expressive, it being that employed in foreign countries for street shelters and bulletin boards used for a similar purpose. The instruments furnished are as follows:

Hygrometer—A simple form of indicating air hygrometer, with scale of percentages for relative humidity.

Thermometer—A plain mercurial thermometer, of large size (Fahrenheit); accurately stem graduated, with conspicuous figures and markings to facilitate easy reading.

Maximum and Minimum Thermometers—Indicating self-registering; Fahrenheit scale, stem graduated, having steel indexes to be set by permanent magnet.

Rain gauge—This is of the tipping-bucket pattern with dial mechanism indicating hundredths of an inch and inches of precipitation as caught in the central top of the kiosk, which forms the receiver of the gauge proper.

Thermograph—A form of mechanically recording thermometer, making a continuous and automatic record of the temperature (Fahrenheit), on a two-week sheet of band form, so arranged that the previous record for several days from date is in plain view.

CHAMBERLAIN'S COUGH REMEDY THE BEST OBTAINABLE.

This remedy has no superior as a cure for colds, croup and whooping cough.

It has been a favorite with the mothers of young children for almost forty years.

Chamberlain's Cough Remedy can always be depended upon and is pleasant to take.

It not only cures colds and grip but prevents their resulting in pneumonia. Chamberlain's Cough Remedy contains no opium or other narcotic and may be given as confidently to a child as to an adult. For sale by all dealers. Beaman, Smith & Co., Ltd., agents for Hawaii.